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9/5/08

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

2008 SEP -5 PM 12:20

UNITED STATES OF AMERICA,

Plaintiff,

v.

Carlos Alejandro CARO-Nunez
(AKA): Carlos HERNANDEZ-Murillo
(AKA): Carlos Alejandro NUNEZ

Defendant.

Magistrate Case No.
CLERK OF DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 2736

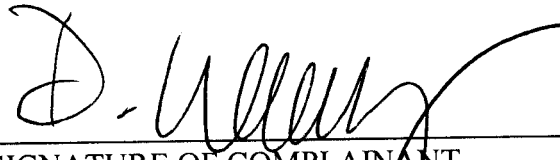
BY  COMPLAINT FOR VIOLATION OF:

) Title 8, U.S.C., Section 1326;
) Deported Alien Found in the
) United States
)
)
)
)
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)

The undersigned complainant, being duly sworn, states:

On or about, **June 21, 2008**, within the Southern District of California, defendant, **Carlos Alejandro CARO-Nunez, (AKA): Carlos HERNANDEZ-Murillo, (AKA): Carlos Alejandro NUNEZ**, an alien, who previously had been excluded, deported and removed from the United States to Mexico, was found in the United States, without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.



SIGNATURE OF COMPLAINANT
Immigration Enforcement Agent
Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **5th** DAY OF **September 2008**.



UNITED STATES MAGISTRATE JUDGE

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PROBABLE CAUSE STATEMENT

On **June 21, 2008**, the defendant identified as **Carlos Alejandro CARO-Nunez, (AKA: Carlos HERNANDEZ-Murillo, AKA: Carlos Alejandro NUNEZ)**, was arrested in San Diego, California by the San Diego Police Department for violation of Section 3056 of the California Penal Code: "VIOLATION OF PAROLE" and booked into San Diego County Jail where an Immigration Enforcement Agent with Immigration and Customs Enforcement (ICE) determined the defendant to be a citizen of Mexico and placed a Form I-247 "Immigration Detainer" pending his release from local custody.

On September 5, 2008, the defendant was referred from local custody to ICE custody. A Deportation Officer reviewed various sources of information and conducted official record checks in regards to the defendant confirming him to be a citizen of Mexico having been previously removed from the United States.

A thorough review of official immigration computer database record checks and information contained in the Alien Registration file revealed that the defendant was most recently ordered removed from the United States on or about May 21, 2003 and physically removed to Mexico on or about May 21, 2003 via the Otay Mesa Port of Entry. Record checks further indicate that the defendant has not applied to the Attorney General of the United States or the Secretary of the Department of Homeland Security for permission to re-enter the United States.

The Automated Biometric Fingerprint Identification System "IDENT" and Automated Fingerprint identification System "IAFIS" were utilized and compared the defendant's fingerprints to those contained in these databases. The results confirmed the defendant's identity as Carlos Alejandro CARO-Nunez, a citizen and national of Mexico.